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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,787	11/14/2001	HyungByum Kim	16791	3121
23556	7590	07/02/2004		EXAMINER
KIMBERLY-CLARK WORLDWIDE, INC. 401 NORTH LAKE STREET NEENAH, WI 54956			ART UNIT	PAPER NUMBER

DATE MAILED: 07/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT      PAPER

20040630

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Commissioner for Patents

see attached communication

Karin M. Reichle  
Primary Examiner  
Art Unit: 3761

<b>Notification of Non-Compliance With 37 CFR 1.192(c)</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/990,787	KIM ET AL. <i>CR</i>	
	<b>Examiner</b>	<b>Art Unit</b>	
	Karin M. Reichle	3761	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

The Appeal Brief filed on 26 April 2004 is defective for failure to comply with one or more provisions of 37 CFR 1.192(c). See MPEP § 1206.

To avoid dismissal of the appeal, applicant must file IN TRIPPLICATE a complete new brief in compliance with 37 CFR 1.192(c) within the longest of any of the following three **TIME PERIODS**: (1) **ONE MONTH or THIRTY DAYS** from the mailing date of this Notification, whichever is longer; (2) **TWO MONTHS** from the date of the notice of appeal; or (3) within the period for reply to the action from which this appeal was taken. **EXTENSIONS OF THESE TIME PERIODS MAY BE GRANTED UNDER 37 CFR 1.136.**

1.  The brief does not contain the items required under 37 CFR 1.192(c), or the items are not under the proper heading or in the proper order.
2.  The brief does not contain a statement of the status of all claims, pending or cancelled, or does not identify the appealed claims (37 CFR 1.192(c)(3)).
3.  At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 1.192(c)(4)).
4.  The brief does not contain a concise explanation of the claimed invention, referring to the specification by page and line number and to the drawing, if any, by reference characters (37 CFR 1.192(c)(5)).
5.  The brief does not contain a concise statement of the issues presented for review (37 CFR 1.192(c)(6)).
6.  A single ground of rejection has been applied to two or more claims in this application, and
  - (a)  the brief omits the statement required by 37 CFR 1.192(c)(7) that one or more claims do not stand or fall together, yet presents arguments in support thereof in the argument section of the brief.
  - (b)  the brief includes the statement required by 37 CFR 1.192(c)(7) that one or more claims do not stand or fall together, yet does not present arguments in support thereof in the argument section of the brief.
7.  The brief does not present an argument under a separate heading for each issue on appeal (37 CFR 1.192(c)(8)).
8.  The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 1.192(c)(9)).
9.  Other (including any explanation in support of the above items):

Since the after final amendment was not entered the cancellation of claims 11 and 12 was not entered. Claims 11-12 are still pending. Therefore the Status of the Claims section, the copy of the claims in the Appendix, the Status of the After Final Amendments section, the Grouping of Claims section and the Arguments section are all inconsistent with the status of claims 11-12. A concise statement of each appealable issue setting forth the claims rejected, the statutory basis for the rejection and the prior art used to reject, if applicable, should be set forth, e.g. Are claims 1-16 properly rejected under 35 USC 102(b) as being anticipated by Chen et al? All descriptions of the Examiner's and Appellant's positions should be included in the arguments section not the Issues section. The objection to formalities is a petitionable issue not an appealable issue. The brief does not provide a separate heading in the arguments section for each issue on appeal, e.g. 102 rejection/Group 1, 102 rejection/Group 2, etc. The Grouping of Claims section does not set forth the grouping of claims for Issue C.

*K.M. Reichle*  
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